

MOTION BY SUPERVISOR ANTONOVICH AND
CHAIR HILDA SOLIS

MAY 24, 2016

On April 28, 2016, the U.S. Department of Health and Human Services issued new guidance that clarifies important ways Medicaid can be used for justice-involved individuals in community settings. The new guidance clarifies that Medicaid can continue to be used for services provided to eligible individuals on parole, probation and home confinement; extends eligibility to those living in supervised community residential facilities; and maintains the ability of counties to seek Federal Medicaid reimbursement for inpatient hospital services provided to inmates.

This new guidance is an important step in the Administration's acknowledgement of the crucial role that adequate health and mental health coverage plays in reducing recidivism and improving public safety. However, the new guidance excludes one crucial population, those individuals whom are detained in jails pre-trial. Pending trial, these individuals are presumed innocent until proven guilty, but often remain in jail because they cannot afford to post bail. Nevertheless, current Federal guidelines prohibit Medicaid from paying for their medical care, even if they are eligible and enrolled.

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RIDLEY-THOMAS _____

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Providing health and mental health services post-release is vital to helping individuals successfully re-enter and thrive in their communities. However, providing that treatment, often for the first time, to detained individuals is an integral and crucial step to ensuring these persons re-enter already established on a path to health. Extending Medicaid coverage to those in pre-trial custody would enable counties to provide adequate and coordinated medical, behavioral, and substance use disorder treatment services.

WE, THEREFORE, MOVE that the Board of Supervisors:

1. Send a five-signature letter to the U.S. Department of Health and Human Services (HHS) to request that they consider implementing a Medicaid waiver that would extend health benefit coverage to those in pre-trial custody; and
2. Send a five-signature letter to the County's Congressional Delegation asking for their support of this request to HHS, which would improve health services for justice-involved individuals, reduce the number of people with mental illness in jails, and ultimately, create lower-cost efficiencies in the Federal, State, and local health and criminal justice systems.

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